

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLAUDETTE de LEON,

Plaintiff,

Vs.

) (NO. 05-126E)

CRAWFORD CENTRAL SCHOOL DISTRICT
CRAWFORD CENTRAL SCHOOL BOARD,

Defendants,

MICHAEL E. DOLECKI, SUPERINTENDENT,

Defendant,

CHARLES E. HELLER, III, ASSISTANT
SUPERINTENDENT.

Defendant

) Document:

) DEFENDANTS' MOTION FOR LEAVE
) OF COURT TO INCREASE
) PAGE LIMIT FOR BRIEF IN
) SUPPORT OF MOTION
) FOR SUMMARY JUDGMENT

) Filed on behalf of

) Defendants by:

ANDREWS & BEARD

) Roberta Binder Heath, Esquire

) Pa.Id. No. 50798

) rbheath@andrewsbeard.com

) 3366 Lynnwood Drive

) Altoona, PA 16602

) 814-940-8670

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLAUDETTE de LEON,)	
)	
Plaintiff,)	
)	
Vs.)	(NO. 05-126E)
)	
CRAWFORD CENTRAL SCHOOL DISTRICT)	
CRAWFORD CENTRAL SCHOOL BOARD,)	
)	
Defendants,)	
)	
MICHAEL E. DOLECKI, SUPERINTENDENT,)	
)	
Defendant,)	
)	
CHARLES E. HELLER, III, ASSISTANT)	
SUPERINTENDENT,)	
)	
Defendant)	

**DEFENDANTS' MOTION FOR LEAVE OF COURT TO INCREASE PAGE LIMIT
FOR BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

The Defendants, Crawford Central School District, Crawford Central School Board, Michael E. Dolecki, Superintendent, and Charles E. Heller, III, Assistant Superintendent, hereby move this Honorable Court for leave to increase the permissible page limit of twenty-five (25) pages for their brief in support of the motion for summary judgment as delineated in the Local Rules for the Western District, and to expand the page limit to thirty-five (35) pages. In support thereof, the Defendants aver as follows:

1. Plaintiff's Amended Complaint sets forth causes of action for sex and national origin discrimination and harassment pursuant to Title VII of the Civil Rights Act of 1964, claims for discrimination based on Plaintiff's documented "disability" under the Americans With Disabilities Act of 1990, claims of discrimination under the

Pennsylvania Human Relations Act, claims for retaliation and emotional distress, and allegations of the School District and individual liability pursuant to Sections 1981 and 1983 of the Civil Rights Act and the Pennsylvania Human Relations Act.

2. It was on these bases that extensive discovery proceeded. Also, Plaintiff's claims spans over a decade.

3. This case has proven to be document intensive, primarily because the Plaintiff's claims do span a period from the 1993-1994 school year until termination on April 30, 2003.

4. In addition, depositions of eleven (11) witnesses have been taken. These individuals included the Plaintiff and current and former teachers and administrators.

5. Because of the complexity of Plaintiff's claims from a legal standpoint, the Defendants shall address the claims in their Motion for Summary Judgment pursuant to both a mixed motive analysis as well as a pretext analysis. Also, Defendants will be requesting summary judgment on each of Plaintiff's multiple claims. The Complaint delineates eight (8) causes of action.

6. It is the Defendants' position that the facts of this case merit discussion at length within the body of the brief, as well as being addressed in the separate factual section required by the Local Rules. Accordingly, Defendants contend that even a succinct argument on each of the issues in this case, supported by the exhibits including documentation and testimonial evidence, will render the twenty-five (25) page limit insufficient to fully present the Defendants' arguments and not prejudice the Defendants' position in their request for summary judgment.

7. As a matter of law, the Defendants believe this case merits dismissal, in whole or in part. In order to avoid prejudice to the Defendants, it is respectfully requested that the twenty-five (25) page limitation be broadened to allow for a complete legal analysis of all points.

8. Certainly, the Defendants will be precise, succinct and efficient in presenting their arguments and supporting evidence so as to present the pertinent information in the most concise form. Nonetheless, in order to encompass all the evidence that is relevant to support their Summary Judgment Motion, an increased page limit is requested.

WHEREFORE, it is hereby respectfully requested that this Honorable Court grant the Defendants' Motion for Leave to Enlarge the amount of pages permissible in the brief in support of their motion for summary judgment from twenty-five (25) pages to thirty-five (35) pages.

Respectfully submitted:

ANDREWS & BEARD

/s/Roberta Binder Heath, Esquire
Pa. I.D. No. 50798
Counsel for Defendants

3366 Lynnwood Drive
P. O. Box 1311
Altoona, PA 16603-1311
(814) 940-8670
(814) 943-0856 FAX

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLAUDETTE de LEON,)	
)	
Plaintiff,)	
)	
Vs.)	(NO. 05-126E)
)	
CRAWFORD CENTRAL SCHOOL DISTRICT)	
CRAWFORD CENTRAL SCHOOL BOARD,)	
)	
Defendants,)	
)	
MICHAEL E. DOLECKI, SUPERINTENDENT,)	
)	
Defendant,)	
)	
CHARLES E. HELLER, III, ASSISTANT)	
SUPERINTENDENT,)	
)	
Defendant)	

CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that the foregoing Motion for Leave of Court to Increase Page Limit for Brief in Support of Motion for Summary Judgment has been served as follows on this the 7th day of June 2006.

Regular U.S. Mail

Caleb L. Nichols, Esquire
P.O. Box 1585
Erie, PA 16507

ANDREWS & BEARD

/s/ Roberta Binder Heath, Esq.
Attorney for Defendants